IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Crl.Rev.Pet.No. 629 of 2000

CRL.A.308/1998 OF SESSIONS COURT, THRISSUR,
SC.37/1997 OFI ADDL. ASSISTANT SESSIONS COURT, THRISSUR

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REVISION PETITIONERS/ APPELLANTS/ ACCUSED:

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1. **SASI, S/O. SANKARANKUTTY,**
   VELLATHERI HOUSE, VELUTHUPADAM,
   PERINGAVU VILLAGE, THRISSUR DISTRICT.

2. **KUTTAN, S/O. VELAYUDHAN, KOTTUVEETTIL HOUSE,**
   PERINGAVU VILLAGE, THRISSUR DISTRICT.

3. **PRAKASAN, S/O. AYYAPPAKUTTY,**
   CHEMBUKAVU VILLAGE,
   CHEMBUKAVU DESOM.

4. **PIPPIKUTTAN @ SUNIL,**
   S/O. VELAYUDHAN, THEKKINIYATH,
   VELUTHUPADAM DESOM,
   PERINGAVU VILLAGE.

5. **SANKARANKUTTY, S/O. VELAYUDHAN,**
   VELLATHERI HOUSE, VELUTHUPADAM DESOM,
   PERINGAVU VILLAGE.

6. **JAYAN @ JAYANANDHAN,**
   S/O. NARAYANANKUTY, ANTHIKADAN HOUSE,
   VENGINISSERY, THRISSUR DISTRICT.

7. **KUNJAYYAPPAN, S/O. RAMAN,**
   PALAKKAPARAMHBIL HOUSE, VELUTHUPADAM,
   PERINGAVU VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU,
SMT.MINI JOHN PAREMALIL.

CRL.R.P. NO. 629/2000:

RESPONDENT/ RESPONDENT/ COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.K. SURESH.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/11/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO. 3512/2000 IN CRL.R.P. NO. 629/2000

DISMISSED

14/11/2007. **SD/- K.R.UDAYABHANU, JUDGE.**

//TRUE COPY//

prv.

K.R.UDAYABHANU, J

Crl.R.P.No.629 of 2000

Dated this the 14th day of November, 2007

O R D E R

The revision petitioner stands convicted for the offences under Sections 143, 147, 148, 447, 341, 323, 324, 326, 307 read with Section 149 IPC and sentenced, as modified by the appellate court, to undergo simple imprisonment for a period of 18 months each and to pay a fine of Rs.10,000/- each for the offence under Section 326 read with Section 149 IPC and in default, to undergo simple imprisonment for one year each. No separate sentence is awarded for the rest of the offences.

2. Counsel for the revision petitioner has only sought for modification of the sentence pointing out that the incident is of the year 1994 and more than 13 years have elapsed since the commencement of the proceedings. A5 is no more. All the accused except A7 are youngsters. A7 is right now aged 75 years.

3. In the circumstances, considering the long lapse of time, the sentence imposed for the offence under Section 326

read with Section 149 IPC is modified to imprisonment till the rising of the court and to pay a compensation of Rs.15,000/- each to PW1 who sustained fracture of right forearm and in default, to undergo simple imprisonment for six months each. The revision petitioner is granted two months' time to remit the amount of compensation. He shall appear before the Assistant Sessions Judge, Thrissur on 14.1.2008 to receive sentence.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl